UNITED
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Security Council

Distr.
GENERAL

S/1996/450
20 June 1996

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 JUNE 1996 FROM THE PERMANENT REPRESENTATIVE OF NORWAY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Norway to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to Security Council resolution 1054 (1996) concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt, as well as to the note from the Secretary-General of 15 May 1996 (SCA/2/96 (10-1)), has the honour to report the following:

- Sudan has no diplomatic or consular representation in Norway. Consequently no action has been deemed necessary by the Norwegian Government for the implementation of paragraph 3 (a) of the resolution.

- To implement paragraph 3 (b) of the resolution, the Royal Ministry of Justice of Norway instructed on 23 May 1996 the Directorate of Immigration to restrict the entry into or transit through Norwegian territory by members of the Government of Sudan, officials of that Government and members of the Sudanese armed forces.

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UNITED
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Security Council

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GENERAL

S/1996/451
20 June 1996

ORIGINAL: ENGLISH

NOTE VERBALE DATED 17 JUNE 1996 FROM THE PERMANENT REPRESENTATIVE OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

1. The Permanent Representative of India to the United Nations in New York presents his compliments to the Secretary-General of the United Nations and has the honour to refer to communication No. SCA/2/96 (10-1) dated 15 May 1996, in which a response regarding implementation of provisions of Security Council resolution 1054 (1996) of 26 April 1996 was requested.

2. The Government of India has taken note of the resolution, for compliance as relevant.

3. As regards paragraph 3 (a) of the resolution, the Sudanese authorities have been requested to reduce the strength of their only diplomatic Mission in India by recalling one of the five diplomatic staff of their Embassy in New Delhi by 25 June 1996, which is the last date for giving effect to the provisions set out in paragraph 3, in accordance with paragraph 6 of the resolution.

4. Furthermore, the Sudanese authorities have been advised that all their remaining staff would require prior permission of the Government of India, giving 15 days' advance notice, for their travel in India beyond 60 kilometres from New Delhi.

5. As regards paragraph 3 (b) of the resolution, its provisions have been taken note of for compliance as appropriate.

6. This communication is addressed in response to the request in paragraph 6 of the resolution.

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UNITED
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Security Council

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GENERAL

S/1996/452
20 June 1996

ORIGINAL: ENGLISH

NOTE VERBALE DATED 19 JUNE 1996 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF TURKEY TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

With reference to the note of the Secretary-General dated 15 May 1996, the Chargé d'affaires a.i. of the Republic of Turkey to the United Nations has the honour to inform him of the measures taken by the Government of Turkey to implement the provisions in paragraph 3 of Security Council resolution 1054 (1996) of 26 April 1996.

Since the Sudanese Embassy in Ankara is staffed with a very limited number of personnel, which would allow them to carry out only a minimum level of their duties, the Government of Turkey feels obliged to let them keep the current number and level of the staff. However, the Government of Turkey, in line with the spirit of the above-mentioned resolution, has declined to consent to a Sudanese application to open a consulate general in Istanbul. Moreover, the movement within the Turkish territory of the members of the Sudanese Embassy in Ankara will be controlled. The Government of Turkey has also decided to decline visas to members of the Government of the Sudan, officials of that Government and members of the Sudanese armed forces, subject only to rare exceptions, which would require a direct instruction from the Turkish Ministry of Foreign Affairs.

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UNITED
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Security Council

Distr.
GENERAL

S/1996/453
20 June 1996
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 20 JUNE 1996 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith a copy of the statement made by Colonel Muammar Qaddafi, Leader of the Great Revolution, to the Jamahiriya News Agency on 15 June 1996 concerning the explosion which occurred in Manchester, England.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Mohamed Abulgassem AZWAI
Permanent Representative

96-15531 (E) 210696 210696 220696

/...

Annex

[Original: Arabic]

If it is confirmed that the Irish Republican Army is responsible for the explosion which occurred this morning in the centre of Manchester, England, the IRA has strayed very far from its objective of liberating Ireland. This act cannot be supported.

Annex

	Time	Date	Number of airplanes	Speed (nautical miles)	Altitude (feet)	Direction
1	1055	30 December 1995	8	400	24 000	3040N and 4630E
2	1128	30 December 1995	8	400	24 000	3035N and 4805E
3	0850	14 January 1996	1	480	28 000	3230N and 4755E
4	1057	14 January 1996	1	200	10 000	3258N and 4625E

UNITED
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Security Council

Distr.
GENERAL

S/1996/455
21 June 1996

ORIGINAL: ENGLISH

LETTER DATED 20 JUNE 1996 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF AUSTRIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions of my Government, I have the honour to inform you of the measures taken in compliance with paragraph 3 of Security Council resolution 1054 (1996) of 26 April 1996 imposing diplomatic sanctions on the Sudan.

Due to a request of the Austrian Federal Government, the diplomatic staff at the embassy of the Sudan in Vienna has been reduced from four to three diplomats.

The Austrian Federal Government has adopted the necessary visa regulations in order to restrict the entry into or transit through the territory of Austria of members of the Government of the Sudan, officials of that Government and members of the Sudanese armed forces.

(Signed) Hans Peter MANZ
Chargé d'affaires a.i.

96-15634 (E) 240696 250696

UNITED
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Security Council

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GENERAL

S/1996/456
21 June 1996

ORIGINAL: ENGLISH

FURTHER REPORT ON THE SITUATION OF HUMAN RIGHTS IN CROATIA PURSUANT TO SECURITY COUNCIL RESOLUTION 1019 (1995)

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1019 (1995) of 9 November 1995 and the presidential statement of 23 February 1996 (S/PRST/1996/8), in which the Council, inter alia, requested the Secretary-General to keep it informed on the progress of measures undertaken by the Government of the Republic of Croatia to implement Security Council resolutions 1009 (1995) and 1019 (1995). Those resolutions were adopted following Croatia's military operations of May and August 1995, by which the Government regained control of formerly Serb-controlled areas of its territory, located in Western Slavonia and the Krajina region, which had been designated United Nations Protected Areas (UNPAs) and were known as Sectors West, North and South. In those resolutions, the Council demanded, inter alia, that the Government of Croatia respect fully the rights of the local Serb population in the former Sectors, including the right to remain, leave or return in safety, take urgent measures to put an end to all violations of international humanitarian law and human rights in the areas and investigate all reports of such violations so that those responsible for such acts could be judged and punished.

2. In the presidential statement of 23 February 1996, the Security Council further called upon the Government of Croatia to give due consideration to granting amnesty to local Serbs remaining in detention on charges arising from their alleged participation in the conflict, and urged the Government of Croatia to uphold its obligations with respect to the International Tribunal unreservedly and without delay. The Council also expressed its deep concern at the situation of refugees from the Republic of Croatia who wish to return. It condemned the fact that effective measures had not so far been taken in that respect, and called upon the Government of Croatia to ensure the expeditious processing of all requests from refugees, underlining that the exercise of the right to return cannot be made conditional upon an agreement on the normalization of relations between the Republic of Croatia and the Federal Republic of Yugoslavia. Finally, the Council called upon the Government of Croatia to rescind its earlier decision to suspend articles of the

constitutional law affecting the rights of national minorities, and to proceed with the establishment of a provisional human rights court. The Council reminded the Government of Croatia that the promotion of strict respect for the rights of persons belonging to the Serb minority is relevant to the successful implementation of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium of 12 November 1995 (S/1995/951, annex).

3. My last report on this issue was submitted on 14 February 1996 (S/1996/109). The present report describes further developments up to the beginning of June 1996.

4. It will be recalled that the mandate of the United Nations Confidence Restoration Operation in Croatia (UNCRO) was terminated by the Security Council as of 15 January 1996. The end of the mandate required the withdrawal from the former Sectors West, North and South of not only all United Nations military units but also their accompanying civilian components, including the political and humanitarian officers of UNCRO and United Nations civilian police. Consequently, and in keeping with the request by the Council in the seventh paragraph of the presidential statement of 23 February 1996, information for the present report has been compiled by the field operation of the United Nations High Commissioner for Human Rights, drawing on information from a variety of other sources in Croatia. These include the European Community Monitoring Mission (ECMM), whose officers have monitored developments on a wide range of humanitarian issues and have also attended court proceedings arising from Croatia's military operations of summer 1995. Additional information has been obtained from the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), and local and international human rights non-governmental organizations that have been independently monitoring developments.

5. The present report also takes into consideration a document prepared by the Government of Croatia, entitled "Report by the Government of the Republic of Croatia on the implementation of Security Council resolution 1019 (1995)", dated 10 June 1996 (hereafter, "report by the Government").

6. At the outset, it is important to highlight one major change that has taken place in former Sectors North, South and West since my last report. This concerns the repopulation of these areas by large numbers of Croats, who include Croatians displaced at the beginning of the war from these areas and from the region of Eastern Slavonia, as well as Croat refugees from both entities in Bosnia and Herzegovina. Other Croats from the Federal Republic of Yugoslavia, particularly the province of Vojvodina and the Kosovo region, have also moved into the former Sectors. The occupation by many of these persons of properties owned by Croatian Serbs who fled the area following last summer's military operations has substantially affected the region's ethnic balance, and raises important questions concerning the possibility of return by Croatian Serbs. This matter is considered in depth later in the present report.

II. HUMAN RIGHTS VIOLATIONS AND THE RESPONSE OF THE GOVERNMENT

A. General human rights situation

7. All evidence, since my report of 14 February 1996, indicates that the Croatian authorities have failed to implement effective security measures to prevent harassment and victimization of Serbs remaining in the former Sectors. This problem has been especially acute in the Knin area in former Sector South, where abundant reports continue to be received of ongoing acts of looting and intimidation and where international observers have described the prevailing climate as one of "lawlessness". The credibility of these reports is reinforced by the fact that complaints have been registered by international and local observers not only from Serbs residing in the area, but also from some Croat refugees and displaced persons who have moved there in recent months.

8. The incidence of killings and arson in the region, while substantially lower than acts of physical intimidation and looting, continues to be a cause for concern. The report by the Government states that a total of 12 killings (one of them a double murder) have occurred in the region since 1 January 1996, and advises that 6 killings have been resolved, with criminal charges brought against 6 suspects. The Government further reports that 89 cases involving the destruction of houses by arson or explosives were reported between 8 January and 1 May 1996, of which 29 cases have been resolved, resulting in criminal charges against 26 persons. International observers reported some incidents of arson in the former Sectors, including the burning of four houses in Parcici, near Knin, on the night of 9 April 1996. On 28 April 1996 in Dunjak, former Sector North, Croatian military police officers stationed at the nearby Kupljensko refugee camp were reported to have set two houses ablaze.

9. The continuing looting and intimidation in the Knin area is often described as being the work of marauding gangs, frequently including uniformed Croatian soldiers. Many attacks are said to occur at night. It has been suggested in some, though not all, cases that those responsible may be coming across the border from territory controlled by Bosnian Croat forces in Bosnia and Herzegovina. Indeed, one of the most victimized areas has been the vicinity of Serb, a town located practically adjacent to the international border some 50 kilometres north-east of Knin. One series of assaults in Serb occurred from 13 to 15 May 1996, when four men in military uniform were reported to have terrorized members of the local Serb population. In one attack, they severely beat two men, and forced another at gunpoint to dig a grave for himself. The attackers reportedly stole several farm animals from residents in the area.

10. Several incidents of looting and threats were reported against local residents in the Golubic area, just outside of Knin, in April and May 1996. Although names of some perpetrators and licence-plate numbers were provided to the police, it is reported that no arrests were made. Numerous other looting incidents, frequently including beatings, were reported by international observers in April and May 1996 in Strmica, Padene, Kistanje, Biskupje and the Plavno Valley, all in former Sector South. Looting and vandalism are also reported to have occurred at three historic Serb Orthodox churches in the area, all dating from the fourteenth century. According to international observers,

the ongoing campaign of violence has caused many local residents to spend their nights in a constant state of fear.

11. In former Sector North, violent acts also continue to occur, although less frequently than in former Sector South. On 20 April 1996, a Serb man in Jagrovac village, near Vojnic, was reportedly assaulted and severely beaten by two Croatian soldiers, who cut off part of his ear and stole his horse. A man who was beaten and robbed of some 200 German marks in the village of Rajic Brdo on 10 May 1996 identified his attackers to local police officials, but reportedly no arrests were made. A decrease in acts of looting has been noted in the Sector in recent months, which international observers attribute partly to the fact that there is little moveable property of value remaining there.

12. According to the report by the Government, 845 cases of serious theft were reported in the former Sectors between 2 January 1996 and 1 May 1996, of which 462 were resolved, resulting in criminal charges against 488 persons. The report also records 17 cases of robbery, which led to charges against 21 suspects.

13. According to both foreign observers and residents, the leading causes of continuing lawlessness in the region are the lack of an adequate professional police presence and the Croatian authorities' unwillingness to take firm preventive action against human rights violators. Chiefs of police in several districts have commented to international observers that they have been provided with too few police officers to maintain security effectively. In Gracac and Korenica, local police officials expressed concern that some police officers had been withdrawn from their districts and sent to the coast for the tourist season. International observers also report that in several instances police officers have themselves taken part in criminal acts, while in others perpetrated by members of the Croatian army, Croatian civilian police officers have been either unwilling or afraid to exercise their professional duties. In numerous cases attackers' identities, licence-plate numbers and other facts have been reported to the police, but this has failed to produce effective police action. Observers have noted that the prevailing insecurity is aggravated by an inefficient local court system suffering from a lack of judges and other personnel.

B. Investigation and prosecution of crimes committed against the Serb population

14. In its presidential statement of 23 February 1996, the Security Council stated that it looked to the Croatian Government to pursue vigorously prosecutions against those suspected of past violations of international humanitarian law and human rights against the local Serb minority. My previous reports described the vast scale of crimes committed against local Serbs in the wake of last summer's military operations, including an estimated 150 killings, 5,000 cases of arson and thousands of cases of looting. 1/

15. The report by the Government provides data concerning "criminal proceedings under way against perpetrators of criminal acts following 'Operation Storm'". 2/ The report states that investigations have been initiated or completed against

621 persons, legal proceedings have been instituted against 1,997 persons and "final verdicts have been reached against 231 persons". No information has been provided by the Government concerning sentences handed down in these criminal proceedings. The report by the Government also provides no indication of whether the persons subjected to the investigations and proceedings it describes were Croats suspected of committing crimes against Serbs after last summer's military actions, or Serbs charged for activities conducted on behalf of the former de facto Serb regime. For example, 41 of the final verdicts noted in the report (out of a total of 231) concern charges of armed rebellion or subversive and terrorist activity - charges which generally have been brought by Croatian authorities against Serbs. The figures provided by the Government are thus unclear on the specific issue raised by the Security Council in its presidential statement of 23 February 1996, namely, the issue of prosecutions against those suspected of past violations of international humanitarian law and human rights against the local Serb minority.

16. Concerning murder cases in particular, I noted in my last report (S/1996/109, para. 11) that the Government of Croatia reported a total of 25 persons charged before judicial authorities in 31 killings committed in the weeks following the military operations. Information contained in the latest report by the Government indicates that cases concerning 22 persons suspected of murder are now at the investigative stage, while legal proceedings are under way against 30 persons. The Government indicates that a final verdict has been reached against one person.

17. International observers report that trials are still under way in the widely publicized Varivode and Gosic cases, to which I referred in my previous report and which concern, respectively, the killings of nine and seven, mostly elderly, Serbs. The efforts of the Croatian courts to determine responsibility for those acts have generally been assessed favourably. Observers have noted, however, the courts' evident frustration at deficiencies in the investigations conducted by police and prosecution authorities. In another case, the killing of an elderly Serb woman at Rudele in August 1995, a trial in February 1996 resulted in the acquittal of the defendant, a soldier of the Croatian army. He had testified, with eyewitness corroboration by fellow Croatian soldiers, that he killed the woman by machine-gun fire after she had reached under her apron, leading the soldiers to believe she had a weapon.

18. The report by the Government contains no mention of the Grubori case, discussed in my last report (ibid., para. 12), in which five elderly Serbs were killed in a hamlet in Sector South on 25 August 1995. According to the Special Rapporteur of the Commission on Human Rights, the Government of Croatia had not responded as of 1 June 1996 to a letter from her dated 27 February 1996, in which she provided licence-plate numbers of Croatian Government vehicles that had been observed close to the location by members of a United Nations human rights action team on the day of the killings.

19. ECMM trial observers have noted that in several cases proceedings have been prolonged by repeated failures of key participants, including prosecutors, witnesses and even defendants, to attend hearings. In cases observed by ECMM relating to property crimes, few final decisions were reached, and sentences

issued pursuant to convictions were almost invariably slight, usually consisting of suspended jail terms of one year or less and payment of court costs.

III. HUMANITARIAN AND ECONOMIC SITUATION

20. Reports from international and local observers are generally positive concerning progress in efforts to alleviate the humanitarian suffering of residents of the former Sectors. The situation varies, however, from area to area depending on the attitude of the local authorities. The Government of Croatia has received assistance in humanitarian programmes from many international organizations, including UNHCR, ICRC, the International Federation of Red Cross and Red Crescent Societies and other international non-governmental organizations; the Croatian Red Cross also has been active in this field. The basic survival requirements of the remaining Serb population, including food and essential medical services, appear generally to be satisfied through ongoing programmes. The report by the Government notes, for example, that 448 "abandoned" persons are now receiving care in different social welfare institutions for elderly and infirm persons throughout the country.

21. Rehabilitation programmes in the former Sectors, however, have been assessed by international observers to favour Croat beneficiaries. In former Sector West, reconstruction assistance from a special government fund has reportedly been used almost exclusively for the rebuilding of Croat-owned homes. The restoration of vital utilities and services, including electricity and water systems, as well as bus lines, is reported in former Sector South to have concentrated mainly on Croat communities, while many Serb villages remain in essentially war-time conditions.

22. Shortcomings have also been noted by international observers in Croatia's programme to provide remaining Serbs with the basic identity documents that are necessary to obtain social benefits. The attitude of local Croatian officials is reported to vary from town to town, with officials in some areas, such as Korenica, reportedly being uncooperative in issuing documents. Croatian officials uniformly refuse to honour documents issued by the former de facto Serb authorities, and, as a result, Serb residents are obliged to undergo laborious administrative procedures to register events such as births, marriages and deaths. Even then, the final outcome often depends on the whim of local authorities. Some remaining elderly Serbs, for example, have not succeeded in securing pension benefits to which they are entitled. In its report, the Government notes that as of 24 May 1996, 4,583 applications for pension benefits had been submitted by residents of the former Sectors, of which 4,053 have been "processed". No indication is given as to the meaning of the term "processed".

23. The economic situation for all residents of the former Sectors is difficult, since most of the infrastructure in the area is destroyed. However, reports indicate that Croatian Serbs face especially difficult circumstances because of employment discrimination. Applications made by some 200 Serbs for advertised positions with a Government-owned timber enterprise in the former Sector West, for example, reportedly failed to yield any job offers. Serb doctors and nurses in the same area have been unable to find employment despite a recognized need for medical personnel. International monitors reported that a

Serb engineer in Knin was sent away from a municipal office with the admonition that he would "never find work here". The report by the Government notes that the State Employment Bureau has started to re-establish offices in the former Sectors, and as of 24 May 1996 had registered a total of 4,460 unemployed persons in the region. The report does not indicate how many of these persons are Croatian Serbs.

24. Discrimination against Serbs has also been reported in the assessment of taxes for the four years since the beginning of the war. Local Serbs have reported that the Government of Croatia is requiring payment of taxes despite provisions for exemptions for persons living in war-affected areas, which are said to have been applied for Croats.

IV. RETURN OF CROATIAN SERB REFUGEES AND DISPLACED PERSONS

A. General

25. It will be recalled that nearly 200,000 Croatian Serbs are estimated to have fled to the Federal Republic of Yugoslavia following Croatia's military operations in the summer of 1995. Other Croatian Serb refugees are now living in the Republika Srpska in Bosnia and Herzegovina. According to the report by the Government, as of 10 June 1996 only 7,065 persons had returned to Croatia following government authorization. International observers report that the number of Croatian Serbs who have actually returned to their homes in the former Sectors appears to be considerably lower than this figure. The report by the Government further states that a total of 14,000 persons have applied to the State Bureau for Displaced Persons and Refugees for permission to return since 1 May 1995, but other reports indicate that the number of applicants at the Croatian Bureau in Belgrade alone may be considerably higher. The procedures imposed by Croatian authorities for obtaining permission to return reportedly remain cumbersome and difficult.

26. In contrast to the number of Croatian Serb returnees to Croatia, the report by the Government indicates that a total of 36,766 displaced persons from within Croatia had been registered as returnees in the former Sectors as of 10 June 1996. The great majority of these persons are Croats. The report further notes that some 14,000 refugees from Bosnia and Herzegovina also are currently being accommodated in abandoned houses in the former Sectors. This substantial population transfer has been guided in part by the Government's Decree on the Rights of Returnees, which terminates displaced status for displaced persons from Western Slavonia (former Sector West) and the Krajina region (former Sectors North and South) on 31 May 1996 and 30 June 1996, respectively. The transfer of Croats to the former Sectors is likely to gain further momentum from the law on "areas of special national interest" adopted by the Parliament on 17 May 1996. This promises various benefits, including lower taxes and the possibility of gaining ownership of property after 10 years of occupancy, to persons moving to the region. Although the law by its terms applies equally to Croats and Serbs, the difficulties being encountered by Croatian Serbs wishing to return make it likely that Croats rather than Serbs will be the main beneficiaries of these measures.

27. In its report of 10 June 1996, the Government makes the following observation:

> "The return of ethnic Serbs who fled from Croatia, but who now wish to return, would otherwise be moving at a much faster rate, if it were not for numerous high security concerns associated with their return. The Secretary-General should not overlook the fact that a mass and unmanaged return of Serbs to the liberated territories would promote an exodus of non-Serbs who have just returned there and would discourage the return of non-Serbs who are yet to return to the liberated areas. All of these people were expelled by the rebel Serbs in the first place. Together with the Organization for Security and Cooperation in Europe (OSCE) long-term mission, the Government of the Republic of Croatia will encourage various confidence-building measures to facilitate the return of persons wishing to do so."

28. Concerning the specific question of the return of Serbs to Western Slavonia (former Sector West) from Eastern Slavonia, UNHCR has elaborated a pilot return project, which would include also the return of displaced Croats to communities in Eastern Slavonia, still under the control of de facto Serb authorities. Protracted negotiations over the last two months resulted in the identification of four villages, one in Western Slavonia and three in Eastern Slavonia, as best suited for the return project. Although visits of displaced persons to the four communities have taken place, various tasks remain to be accomplished before returns can begin, including substantial reconstruction of damaged houses and mine clearance.

B. The question of property

29. As I noted earlier, a major issue in former Sectors West, North and South is the question of property, much of which belongs to Croatian Serbs who fled the region in the summer of 1995. I observed in my previous report that Croatia had taken the positive step of suspending the time limit within which Croatian Serbs would have been required to file claims for their abandoned houses or risk losing them. The time limit had been contained in the Law on Temporary Take-Over and Administration of Property, adopted by the Government in late 1995. It should be noted, however, that no such suspension of time limits was adopted to benefit renters of Government-owned apartments, and thus leaseholders who abandoned rented property in last summer's mass exodus and who failed to present timely claims for the residences, have probably lost the right to reclaim their homes.

30. Much of the unoccupied property in the former Sectors has now been occupied by Croat returnees and refugees, who outnumber Croatian Serb returnees by many thousands of persons. While the occupancy of property in most cases is taking place according to legal procedure, with issuance of permits by the authorities for temporary occupancy of abandoned property, it is reported that others are taking place without official sanction. In several reported cases, Croatian Serbs attempting to return to their homes have met with resistance from persons occupying them. This is exemplified by one reported incident in which Croat refugees from Bosnia and Herzegovina received authorization to settle in a Serb

man's house in Vojnic, former Sector North, while he was detained for several days for investigation of his activities during the war. After his release, he was unable to reclaim possession of his home and has been living with friends. Another typical case was that of a Croatian Serb who returned in April 1996 from the Federal Republic of Yugoslavia to his house in Plaski, which he found occupied by Croat refugees from Bosnia and Herzegovina. Local officials reportedly advised the man to move into someone else's house.

31. Sporadic reports have also been received of forcible evictions of remaining Serbs by armed Croats. In one such case, a Serb woman from Raskovici, near Knin, was badly beaten and required hospitalization after four men invaded her home on 10 May 1996, claiming they had authorization to occupy her house. Croatian police summoned to the scene checked the victim's identification but appeared fearful of challenging the perpetrators, who were not arrested.

32. Various attempts by Croatian authorities to regulate the occupancy of property in the former Sectors through the establishment of commissions have been ineffective, and the situation remains substantially uncontrolled. A few Croatian Serb returnees who have sought help from the courts in reclaiming their properties are reported to have encountered difficulties because of complicated administrative procedures, hostile local officials and a judiciary with few judges and resources. Difficulties have also been faced by some Serbs because of Croatia's refusal to recognize legal acts performed by the de facto Serb authorities. In one reported case in Knin, a widow learned that the death certificate issued by the previous regime for her husband, the legal owner of their home, would not be honoured by the Government of Croatia, and she would thus be unable to claim her inheritance. Generally, international observers report that the Government has failed to take strong action either to protect the property rights of Croatian Serbs or to respond vigorously in cases of unlawful occupation of properties by Croats.

33. In its report, the Government emphasizes that it is currently caring for a total of 383,021 displaced persons, returnees and refugees, for whom it expends some 88 million kuna (approximately US$ 17 million) per month. Out of these, 133,784 persons are Croat refugees from Bosnia and Herzegovina, most of whom, the report notes, cannot return to their homes under present circumstances.

V. SERBS IN DETENTION AND THE QUESTION OF AMNESTY

34. When I last reported on this subject in February 1996, information from ICRC indicated that 389 persons, mostly Croatian Serbs, remained detained in a total of 15 detention centres throughout Croatia on charges arising from their alleged participation in the conflict. On 29 May 1996, the President of Croatia pardoned 76 Serb detainees, of whom 64 are reported to have decided to depart Croatia for the Federal Republic of Yugoslavia. ICRC has indicated that as of 1 June 1996 some 200 Serb detainees were still being held in Croatia.

35. Trials for some Serb detainees have proceeded in recent months in Croatian military and civilian courts, although international observers have noted that the pace of proceedings appears unduly slow. Several cases have resulted in

convictions of the accused, in some instances on war-crime charges and in others for less serious crimes. In other cases Serbs in detention have been released.

36. The Government of Croatia has thus far resisted enactment of a broad amnesty which would cover some of the persons remaining in detention as well as all Serbs who fought against Croatia in the army of the so-called "Republic of Serb Krajina (RSK)", including in the former Sectors North and South. An amnesty law was, however, adopted by the Parliament on 17 May 1996 which applies only to Serbs who fought for "RSK" in former Sector East (Eastern Slavonia, Baranja and Western Sirmium). In addition to exempting from the amnesty persons charged with war crimes, the law permits prosecution for numerous other crimes, including "crimes against the security of Croatia", as described in the country's criminal code. The report by the Government states that one of the purposes for which this amnesty was passed was to assist in the implementation of the Basic Agreement of 12 November 1995, for the peaceful reintegration of Eastern Slavonia, Baranja and Western Sirmium into the Republic of Croatia.

37. In this connection, it should be recalled that in its presidential statement of 22 May 1996 (S/PRST/1996/26), the Security Council called upon the Government of Croatia to grant amnesty to all persons who, either voluntarily or by coercion, served in the civil administration, military or police forces of the local authorities in the former United Nations Protected Areas with the exception of those who committed war crimes as defined in international law. While noting that the law on amnesty recently passed in the Republic of Croatia is a step in this direction, the Council also called upon the Government to make the amnesty comprehensive as soon as possible, and stressed the importance such a measure would have for maintaining public confidence and stability during the demilitarization and demobilization process.

VI. LEGAL PROTECTION FOR THE REMAINING SERB POPULATION

38. The decision of the Government of Croatia of September 1995, which suspended several articles of a special constitutional law affecting the rights of national minorities, principally Serbs, remains in effect, notwithstanding the call by the Security Council for it to be rescinded (S/PRST/1996/8). Nor have there been any new developments in the establishment of a provisional human rights court, which had been called for by the Council and recommended by numerous international observers, including the Special Rapporteur of the Commission on Human Rights in February 1994. 3/ In the report by the Government, it is stated that experts from the Council of Europe, called upon to work with the Government to draft legislation on the provisional court, had "concluded that the principle upon which the establishing of the provisional court for human rights was founded, no longer had any factual basis, since such a court would represent an obstacle to the jurisdiction of the European Commission for Human Rights and the European Court for Human Rights". It should be noted that the Parliamentary Assembly of the Council of Europe voted on 24 April 1996 in favour of Croatia's admission to the Council, by which Croatia would be obligated to recognize the compulsory jurisdiction of the European Court for Human Rights. However, the Council of Ministers of the Council of Europe decided on 14 May 1996 to postpone a final decision on Croatia's admission, pending Croatia's fulfilment of certain conditions, including

improvement of conditions for the return of refugees, progress on the protection of minorities and media freedom, and cooperation with the International Tribunal for the Former Yugoslavia.

39. As noted in my previous report, Croatia also argues that its ratification in 1995 of the Optional Protocol to the International Covenant on Civil and Political Rights, permitting individuals to communicate to the Human Rights Committee alleged violations of their rights under the covenant, obviates the need for a national human rights court. The report by the Government lists further measures it has taken for the protection and promotion of human rights. These include:

(a) The Government's recent approval of the establishment of a long-term mission of OSCE in Croatia, for purposes of human rights monitoring;

(b) The Government's request for technical assistance in the area of human rights from UNHCR, and its adoption of a proposal by the High Commissioner for the establishment of a National Committee for Education on Human Rights to develop a programme of education on human rights for the country's schools;

(c) The Government's cooperation with the Special Rapporteur of the Commission on Human Rights, the Commission's Expert on Missing Persons and the OSCE High Commissioner on National Minorities.

The Government also notes that it is discussing with the Government of the Federal Republic of Yugoslavia a bilateral agreement for the protection of minorities.

40. There is a State-supported (and by law, independent) Ombudsman for human rights in Croatia. The report by the Government indicates that measures have been undertaken to improve the efficiency of the Ombudsman by increasing the number of deputies (there are presently 3) to 20, to represent the office in every county in the country and to make the office more accessible to all citizens. Reports from international observers, however, suggest that during the three years in which the office has been operative, it has demonstrated little independence from the Government and has had only slight impact. The first and only holder of the post of Ombudsman resigned in April 1996, after the Parliament refused to adopt his annual report, and the post is currently vacant.

VII. COOPERATION WITH THE INTERNATIONAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

41. The Prosecutor of the International Tribunal continues to have regular contact with the Croatian authorities and to maintain a liaison office in Zagreb. Investigations conducted with the cooperation of the authorities in Croatia have resulted in the issuing of indictments, and the Croatian authorities are continuing to provide relevant information to the Prosecutor's Office.

42. The Prosecutor of the International Tribunal has requested access to documents captured during "Operation Storm", the military operation conducted by

Croatian forces in the Krajina, but his request has not yet been acceded to, and investigators have been denied an opportunity to inspect an inventory of that material. Croatia has agreed that the Prosecutor will examine the dossiers prepared by its criminal authorities as a result of their investigations into crimes allegedly committed by Croatian personnel during that campaign. That exercise will begin shortly, but it is believed that the investigations have focused on relatively minor ordinary crimes and not on serious violations of international humanitarian law.

43. One indicted senior Bosnian Croat military officer is presently in detention awaiting trial in The Hague, having surrendered voluntarily to the International Tribunal, and, in June 1996, another Croatian indicted by the International Tribunal was arrested by the Croatian authorities upon a warrant issued in The Hague. However, despite the fact that on 19 April 1996 the Croatian Parliament adopted with a large majority a Constitutional Act on the Cooperation of the Republic of Croatia with the International Tribunal, and despite representations from the International Tribunal, the Croatian authorities have not executed arrest warrants transmitted to them by the International Tribunal in respect of other prominent accused persons known or believed to be in areas under their control.

44. Croatia has recently informed the International Tribunal of its readiness to accept sentenced persons to be incarcerated in prisons of the Republic of Croatia.

VIII. OTHER ISSUES

45. In my last report, I provided information on the continuing situation of the Kupljensko refugee camp in the former Sector North, which at the time sheltered between 8,000 and 9,000 Muslim refugees from the Velika Kladusa region of north-west Bosnia and Herzegovina, mostly supporters of Mr. Fikret Abdic, in extremely difficult living conditions. Since then, the Government of Croatia has attempted to find a solution for the Kupljensko refugees, while refusing in most cases to grant them refugee status in Croatia. The situation has been complicated by continuing reports of physical abuse and intimidation against returnees from Kupljensko in Velika Kladusa, often at the hands of Bosnian security forces.

46. By May 1996, the population of Kupljensko was estimated to have declined to some 4,500 persons, after the departure of some camp residents to third countries and the repatriation of others to Bosnia and Herzegovina. In May 1996, the Government of Croatia agreed to the transfer of some of the remaining population in Kupljensko to refugee camps elsewhere in the country. By early June, more than 1,000 persons had been moved to the Gasinci camp in eastern Croatia, for expected resettlement in third countries, while several hundred more were transferred to a facility on Obonjan island off the Croatian coast. Nearly 3,000 persons remained in the camp as of 10 June 1996. While some remaining camp residents may repatriate voluntarily to Bosnia and Herzegovina, the fact that many of them are Abdic "hard-liners" makes it unlikely that the majority will do so, and conditions at the camp remain difficult.

IX. CONCLUDING OBSERVATIONS

47. It is evident that measures taken thus far by the Government to provide security to residents of the former Sectors in Croatia have been insufficient. The prevailing lawlessness, particularly in the area around Knin, clearly demands that additional steps be taken and especially that the professional police presence be strengthened. The Government's failure thus far to provide reasonable security in the former Sectors has not created conditions likely to encourage the return of Croatian Serbs. Concern is also warranted by the lack of progress in the investigation and prosecution of numerous crimes committed against the local Serb population during last summer's military operations. The response to the basic needs of Croatian Serbs by government offices in the former Sectors continues to be ineffective and sometimes hostile. Important matters, such as the allocation of property and provision of identity documents, are frequently not handled consistently or in accordance with legal procedures. It appears that instructions from Zagreb have been inadequate to ensure that the law is applied without discrimination in the former Sectors.

48. Croatia has now embarked on a major programme to return displaced Croats to the former Sectors West, North and South. Many thousands of Croat refugees from Bosnia and Herzegovina also are currently being housed in the region. On the other hand, there is no determined effort to facilitate the return of Croatian Serb refugees. While some 7,000 such persons are reported to have received approval to return, this total is slight when compared with the 200,000 persons who fled from the former Sectors in the summer of 1995 or with the 50,000 Croat refugees and displaced persons who have recently moved to the former Sectors with Government approval. The Government of Croatia has a legitimate interest in returning Croat displaced persons to their homes. However, the rapid repopulation of the area, not only by displaced Croats but also by Croat refugees from elsewhere, even if temporary in some cases, is likely to create major obstacles to the return of Croatian Serbs, unless the Government implements vigorous policy measures to safeguard their rights.

49. The continued failure by the Government of Croatia to enact a broad amnesty for former soldiers of the so-called "Republic of Serb Krajina" also militates against the large-scale return of Croatian Serbs. A similar effect is created by the continued suspension of special constitutional provisions for the protection and promotion of minority rights in Croatia. The Government should be credited for its generally cooperative attitude with international human rights mechanisms and for its consideration of various initiatives for the protection of minority rights. Such protection cannot, however, be linked to political negotiations with the Federal Republic of Yugoslavia, as it arises from Croatia's obligations under various international legal instruments. Overall, there is an absence of concrete initiatives to encourage the return of Croatian Serb refugees to their homes and this suggests continuing hostility to the presence of a significant Serb population in the territory of the Republic of Croatia.

Notes

1/ On the scale of crimes committed, see my reports of 21 December 1995 (S/1995/1051) and 14 February 1996 (S/1996/109). See also reports submitted by the Special Rapporteur of the Commission on Human Rights on 14 July 1995 (S/1995/575), 7 November 1995 (S/1995/933) and 14 March 1996 (E/CN.4/1996/63).

2/ "Operation Storm" was the Government's name for the military operation conducted in the first days of August 1995 to reclaim control over former Sectors North and South.

3/ See E/CN.4/1994/110.

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21 June 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Agenda item 55
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-first year

Letter dated 21 June 1996 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I wish to draw your attention to new and repeated violations of the sovereignty and territorial integrity of the Republic of Cyprus by Turkey.

As I have already mentioned in my letters of 14 and 20 June 1996, Turkish air and naval forces have been participating in military exercises off the northern coast of Cyprus since 19 June 1996. Today, however, Friday, 21 June, the intensity and the gravity of those violations has been heightened by military planes of the Turkish Air Force flying at low altitude over the inhabited area of Nicosia, at certain points crossing the buffer zone, causing alarm among the local residents and creating an atmosphere of tension. At the same time, Turkish aircraft were engaged in military exercises with live ammunition, firing at mock targets in the Pentataktylos Mountain range, north of Nicosia.

On behalf of my Government, I wish to protest most strongly against these acts of aggression by Turkey and violations of the sovereignty and territorial integrity of the Republic of Cyprus. This provocative and condemnable behaviour of Turkey is in complete disregard and violation of the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador
Permanent Representative
of the Republic of Cyprus
to the United Nations

96-15616 (E) 240696 250696

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General Assembly
Security Council

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21 June 1996
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GENERAL ASSEMBLY
Fiftieth session
Agenda item 140
UNITED NATIONS DECADE OF
INTERNATIONAL LAW

SECURITY COUNCIL
Fifty-first year

Letter dated 21 June 1996 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to request that the attached press release, issued on 20 June 1996 by His Excellency Mr. Ricardo Alarcón de Quesada, head of the Cuban delegation to the International Civil Aviation Organization (ICAO), concerning the investigation of the violations of Cuban territorial airspace, be circulated as an official document of the General Assembly, under agenda item 140, and of the Security Council.

(Signed) Bruno RODRÍGUEZ PARRILLA
Ambassador
Permanent Representative

96-15622 (E) 250696 250696 260696

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ANNEX

[Original: English]

Press release issued on 20 June 1996 at New York by the head of the delegation of Cuba to the International Civil Aviation Organization

ICAO investigation of the violations of Cuban territorial airspace

The International Civil Aviation Organization (ICAO) team investigating the downing over Cuban territorial waters of two pirate aircraft that violated Cuban airspace on 24 February last expressed their intention of convening a so-called "technical meeting" with the participation of delegations of Cuba and the United States of America.

Said meeting, foreseen for two days, 20 and 21 June 1996, only lasted for 20 minutes, as it became obvious that it only had a formal nature and that it would not carry out an in-depth consideration of the report of the investigating team with the aim of modifying it as necessary.

The Cuban delegation, headed by Mr. Ricardo Alarcón, Speaker of the Cuban Parliament, considered that a meeting of such nature would not fulfil any useful purpose and should not take place, particularly when the report will be distributed today to members of the ICAO Council.

Mr. Alarcón made it crystal clear that Cuba would express its views in the ICAO Council itself and everywhere it considered appropriate.

Such a "technical meeting" can only be conceived as part and parcel of a manoeuvre geared to attempting to legitimize a one-sided report and give the impression that justice is being served by a procedure which, after more than three months of investigation, would attempt to compel members of the ICAO Council to express themselves only four days after having received the report, three of which are holidays.

In addition to having the effect of leaving in doubt the seriousness of the process, these "technical meetings" were also geared to giving the impression that the report had been exhaustively discussed, considered and even negotiated, when it cannot, as was expressed at the beginning of the meeting, be substantially changed and is being distributed even today to the ICAO Council members.

Cuba has totally rejected this approach.

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Security Council

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GENERAL

S/1996/459
21 June 1996
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 21 JUNE 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith two monthly statements on the disposal of bombs, rockets and other ordnance left behind by the 30-Power aggression against Iraq, one for the period 1-30 April 1996 (see annex I) and the other for the period 1-31 May 1996 (see annex II).

I should be grateful if you would have this letter and its annexes circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex I

Monthly bomb-disposal statement, 1-30 April 1996

No.	Civil Defence Department	Number and type of ordnance disposed of
1	Baghdad	3 defence hand-grenades 2 RPG-7 rockets with unserviceable charge 2 assault grenades 1 anti-personnel mine 1 graphite rocket part
2	Basra	20 cluster bombs 107 60-mm mortar shells 5,925 RPG-9 rocket propulsion charges 36 anti-personnel rockets 1,663 DShK anti-aircraft rounds 2 RPG-7 launchers
3	Wasit	2 Russian-made launcher rockets 3 Russian-made defence grenades 3 Russian-made assault grenades 2 anti-tank mines
4	Ta'mim	4 60-mm mortar shells 85 rockets 23 RPG-7 grenades 6 anti-personnel grenades 47 82-mm mortar shells 40 60-mm mortar shells 1 assault grenade 1 defence grenade 3 explosive charges 85 miscellaneous rounds 23 anti-tank launcher rockets 47 82-mm mortar shells 40 60-mm mortar shells 6 anti-personnel launcher grenades
5	Diyala	5,000 anti-personnel mines 28 82-mm artillery shells
6	Karbala'	1 defence grenade 1 60-mm mortar shell
7	Babil	1 120-mm mortar shell
	Total	13,211 (thirteen thousand two hundred and eleven) miscellaneous bombs, shells, rockets and mines

Annex II

Monthly bomb-disposal statement, 1-31 May 1996

No.	Civil Defence Department	Number and type of ordnance disposed of
1	Baghdad/Rusafah	4 anti-aircraft rounds 1 defence grenade
2	Baghdad/Karkh	1 Spanish detonator
3	Qadisiyah	6 82-mm mortar shells 1 artillery shell 1 RPG-7 rocket 6 hand grenades 3 armour shells
4	Muthanna	3 obsolete spherical bombs 1 cluster bomb 1 RPG-7 rocket
5	Diyala	1 hand-grenade 9 mortar shells 200 260-mm shells 1 rocket
6	Babil	325 shells of miscellaneous calibre
7	Ninawa	91 spherical bombs
8	Anbar	72 obsolete spherical bombs
9	Basra	17 cluster bombs 39 60-mm mortar shells 72 RPG-7 rockets 12 RPG-9 rockets 10 anti-personnel rockets 17 anti-personnel mines 47 hand-grenade detonators 15 miscellaneous rounds 141 propulsion charges
10	Dhi Qar	1 spherical bomb
11	Karbala'	1 Strela missile
	Total	1,059 (one thousand and fifty-nine) miscellaneous bombs, shells and rockets

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21 June 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO RESOLUTION 1035 (1995)

I. INTRODUCTION

1. The present progress report, submitted pursuant to Security Council resolution 1035 (1995) of 21 December 1995, summarizes the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) since my last report of 29 March 1996 (S/1996/210).

II. ACTIVATION OF THE MISSION

2. The measures outlined in my previous report, initiated with the arrival in theatre of my Special Representative in February, brought the mission to operational level in late April 1996. By that time, the three International Police Task Force (IPTF) Regional Headquarters and Civil Affairs offices were fully functional, with deployment at the district level well advanced (see map). Supporting IPTF and Civil Affairs is the Public Information Office, which has established three field offices, in Banja Luka, Mostar and Tuzla, in addition to the main Press Office in Sarajevo.

3. My Special Representative in Bosnia and Herzegovina has maintained his efforts to strengthen coordination with the heads of other international bodies associated with the implementation of the Peace Agreement, especially the High Representative, the Commander of the multinational implementation force (IFOR), the Special Envoy of the United Nations High Commissioner for Refugees and the Head of the Organization for Security and Cooperation in Europe (OSCE) Mission. He participates in the meetings of the Peace Implementation Council and the Contact Group convened to maintain the momentum of the peace implementation process and to focus on specific aspects of that process. The team of United Nations military liaison officers, headed by Brig. Gen. Hagrup Haukland (Norway), has developed close contacts with IFOR, at both headquarters and regional levels.

4. Periodic meetings are convened by my Special Representative to coordinate the activities of the agencies and programmes, funds and offices of the United

Nations system, namely the World Bank, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO), the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP). He also provides support and assistance, as requested, to the International Tribunal for the former Yugoslavia and to the Special Rapporteur and the expert in charge of the special process on missing persons of the Commission on Human Rights.

5. A broad base of contacts has been established by my Special Representative at the political level with the Governments of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina and the Republika Srpska, as well as with the leadership of the main political parties.

6. As mentioned in paragraph 13 of my report to the Council on the activities of the Office of the Special Coordinator for Sarajevo (UNSCS) (S/1996/381), the management of the Trust Fund for the restoration of essential services to Sarajevo has been transferred to my Special Representative. In addition to the management of ongoing projects, the residual UNSCS unit handling the day-to-day management of the Fund will in future focus on the financing of quick-impact projects. As a result of the continuing needs of the citizens of Sarajevo, and the improved conditions for the rehabilitation of the city, the UNSCS residual unit has numerous projects awaiting emergency funding. There thus remains a need for further contributions to the Fund.

III. INTERNATIONAL POLICE TASK FORCE

7. As of 20 June 1996, a total of 1,562 IPTF monitors from 32 countries were deployed in 44 of the 50 operational stations planned for the mission area. The initial problem with the deployment of unqualified police monitors has been partly alleviated by the dispatch of selection assistance teams to countries offering large numbers of monitors, in order to ensure that the required standards are met before the monitors travel to the mission area.

8. The widespread deployment of monitors throughout the country means that IPTF is able to perform its tasks effectively. Many of its operational areas extend to both sides of the Inter-Entity Boundary Line (IEBL). IPTF monitors are now able to establish close working relationships with local police and to interact with the local population. This has provided access to more information about the situation on the ground and to an improved assessment and response to incidents and developing situations.

9. A principal preoccupation of IPTF remains the difficulty of establishing freedom of movement for the civilian population. Difficulties persist even after unauthorized check-points, which are a major obstruction to freedom of movement, have been eliminated by IFOR and IPTF. Problems are encountered mainly along the IEBL, and also, within the Federation, between areas controlled by the Government and those controlled by Bosnian Croats, as well as in several Croat pockets. Since it is largely the Serb and the Croat authorities who oppose freedom of movement, those affected are mainly the Bosniacs. Obstruction

of visits by displaced persons to their homes of origin has resulted in violence and loss of life in a number of instances.

10. There has nevertheless been some improvement in freedom of movement. Increasingly, individuals and families are able to cross the IEBL into the Republika Srpska for visits without harassment. However, there have been problems when vehicles with licence plates from one entity have been driven into areas of another. The authorities on both sides have agreed in principle to measures to resolve this issue and efforts are under way to implement them.

11. In fulfilling its mandated tasks, IPTF works in close cooperation with the staff concerned in the Office of the High Representative, IFOR, UNHCR and other international agencies. IPTF participates in a Freedom of Movement Working Group formed by the Office of the High Representative to discuss impediments to free movement and how best to resolve them. It is also active in the working groups of the Human Rights Coordination Centre on issues such as property, legal aid and detention.

12. IPTF, in close coordination with the United Nations Centre for Human Rights, has conducted a human rights and humanitarian law training programme for its police monitors. An eight-day "training of trainers" course run by the Centre has enabled IPTF to conduct its own five-day human rights courses for monitors in each of the regions. This has increased the Force's effectiveness in monitoring the human rights situation and in its efforts to improve respect for human rights by local police personnel.

13. On detention issues, IPTF is in the process of establishing a database which will allow tracking of detained persons from the moment of arrest through to trial. Legal Officers will periodically review this information with a view to identifying trends in the judicial process. Follow-up with the relevant authorities will be initiated as necessary.

14. A major responsibility undertaken by IPTF is to assist the Parties in planning the reduction, restructuring and training of their police forces. On 26 April 1996, agreement was reached on a timetable for the reorganization of the Federation police and on 30 May, the IPTF Commissioner, Mr. Peter FitzGerald, issued formal guidance on its restructuring. This guidance provides for a reduction in uniformed police in the Federation from over 20,000 to a maximum of 11,500. A parallel reduction is still under discussion with the Republika Srpska authorities. Both the Federation and the Republika Srpska have agreed to adhere to an IPTF statement of internationally accepted principles for policing in a democratic State, related operational standards of policing and a new code of conduct for police officers. In this regard, I would like to pay tribute to those Member States who have contributed experts without cost to assist in the restructuring of the Bosnian police forces.

IV. CIVIL AFFAIRS

15. Civil Affairs offices are co-located with IPTF throughout Bosnia and Herzegovina. This has resulted in economies in shared infrastructure, communications and logistics. It has also allowed Civil Affairs Officers to work closely with their IPTF colleagues at the operational level and to develop contacts with local authorities and leaders in as many locations as possible.

16. Civil Affairs is now engaged in three main tasks: supporting IPTF; reporting on and assessing political and human rights development; and good offices to promote confidence between the entities and to resolve problems between the parties. In addition, Civil Affairs Officers work in close coordination with the Office of the High Representative and with other international organizations, especially UNHCR, IFOR and OSCE. They provide these organizations with information and assessments related to key areas of implementation, especially on political trends affecting such issues as freedom of movement, respect for human rights and repatriation of refugees and displaced persons.

17. Using its political expertise, Civil Affairs has continued to facilitate coordination on Federation issues with concerned organizations. It has been assisting and regularly briefing the International Mediator, Dr. Schwarz-Schilling, and the International Arbitrator, Mr. Roberts Owen, on the situation in general and on the specific issues to be addressed by them within the framework of their respective mandates in Bosnia and Herzegovina.

V. MINE ACTION CENTRE

18. The United Nations Mine Action Centre was officially opened in Sarajevo on 20 May 1996. On 1 June, programme control of the Centre was transferred from the Department of Peace-keeping Operations to the Department of Humanitarian Affairs. Programmes and priorities are being set in consultation with representatives of the Federation and the Republika Srpska in the Mine Clearance Policy Group, established in Brussels on 16 February 1996.

19. A training school, established at a former wartime training facility at Brus, is being used for the training of operational teams to work with the regional offices of the Centre in both entities and for the centralized training of mine-detection dogs and their handlers. The first training course, consisting of four teams, graduated in early June. These teams, which were recruited from within the Republika Srpska, will deploy to Banja Luka, where regional headquarters will be established by mid-June. Two regional offices are planned for Tuzla and Mostar. It is hoped that the Mine Action Centre and the training school can be used by personnel from both entities, though confidence-building measures may be required to realize this hope.

20. The database of mine information maintained by IFOR will be transferred to the Centre by 31 July 1996. However, the aim of the United Nations is to transfer full de-mining responsibilities to the Bosnian authorities as early as feasible. The Government of Bosnia and Herzegovina has now formally set up its own Agency for Protection from Mines but has still to provide premises where the

agency and the Mine Action Centre can be co-located. In the interim, the agency will function from the Centre's temporary headquarters. It is envisaged that once it is legally established by a duly elected Government and an effective organization and adequately trained personnel are available, the agency will take over the tasks of the Centre. To that end, programmes will be developed in close cooperation with the technical director of the agency and, wherever possible, contracts with foreign companies will be on the basis of joint ventures to enable managerial and technical capabilities to be developed on the Bosnian side.

21. There are still many difficulties to be overcome before the Mine Action Centre programme can pick up speed and capacity-building measures can have a significant impact. While Bosnian personnel with mine-clearing ability are available, training will concentrate on detection with advanced equipment, so that the clearance is effective. Delays have been caused by the acknowledged slow response of the bureaucracy, despite the pressing need and increasing pressure for action to enable the reconstruction process to start immediately. Currently mine-clearance activity has been largely confined to limited operations by the military forces of the parties, which have been assisted by the provision by the European Union of detection and safety equipment with a value of ECU 600,000.

VI. OTHER ACTIVITIES OF THE UNITED NATIONS SYSTEM

United Nations High Commissioner for Refugees

22. Although in the past three months the overall situation in Bosnia and Herzegovina has improved, there has been little progress in implementing annex 7 to the Peace Agreement. To date, only 70,000 people out of 2 million refugees and displaced persons have returned home, virtually all of them to areas where their community is in the majority. UNHCR has provided aid to these returnees, including shelter materials.

23. There are several reasons why returns so far have been very limited. Firstly, the efforts of UNHCR to bring people back to their homes of origin have been obstructed by the parties on the ground. Secondly, the right conditions for return have not been created, particularly in relation to guarantees of security and freedom of movement for all citizens. Thirdly, Governments have not yet delivered on their pledges to begin reconstruction immediately.

24. UNHCR has, however, continued to make preparations to facilitate return. In order to streamline the repatriation process, a joint Memorandum of Understanding between the International Organization for Migration (IOM) and UNHCR was signed on 26 April 1996. To address ongoing operational aspects of return movements to and within Bosnia and Herzegovina, a Repatriation Working Group has been established, consisting of Government and Federation representatives and international organizations. The Ministry for Refugees of the Republika Srpska has also been invited. In asylum countries, contact groups are being established where feasible.

25. As requested in annex 7 to the Dayton Agreement, UNHCR, in consultation with the parties and the countries of asylum, has developed an operational plan for return. This plan consists of three elements. Firstly, UNHCR, together with WFP and other partners, will continue to deliver food and other relief aid to those in need. At the same time, an effort will be made to begin to phase out such aid through better targeting and focusing on the vulnerable groups. Secondly, UNHCR will concentrate on achieving return to those majority areas where destruction and not security is the major obstacle. Along with the local authorities, it has already identified a number of key target areas in this category. To support return to these areas, it will deliver returnee packages, including shelter materials, and will also take the lead in mobilizing other actors, both bilateral and multilateral, who can carry out more substantial rehabilitation work in these areas.

26. Thirdly, UNHCR will continue to pursue return to minority areas. This will be its most difficult task. On the basis of the guidelines developed by UNHCR in consultation with the Office of the High Representative, IFOR and IPTF, UNHCR will continue to try to build up confidence by facilitating visits of displaced persons to their home areas as well as by supporting bus services enabling displaced persons to travel across the IEBL. In this connection, UNHCR remains concerned that, despite the undertaking in the joint statement of 13 May 1996 to promote such visits, repeated obstructions, particularly from the Serb and Croat authorities, continue to occur.

27. Despite the substantial progress made in meeting one of the three benchmarks agreed upon for the lifting of temporary protection, namely the implementation of the military provisions of the Peace Agreement, UNHCR has been dissuaded from recommending this step by the lack of effective human rights monitoring machinery on the ground, by non-compliance with the amnesty law adopted by the Republic of Bosnia and Herzegovina and by lack of progress on the adoption of amnesty laws by the Federation and the Republika Srpska.

United Nations High Commissioner for Human Rights

28. The High Commissioner for Human Rights and the Centre for Human Rights maintain an integrated field operation in Bosnia and Herzegovina. Their activities include servicing of the mandates of the Special Rapporteur of the Commission on Human Rights, Mrs. E. Rehn, and the expert on missing persons, Mr. M. Nowak, and providing full logistical and substantive support for their activities. They also provide technical expertise to the Office of the High Representative and other international organizations, coordinate and undertake ad hoc investigative missions and provide human rights training to IPTF.

29. The field operation has so far placed two human rights experts at the disposal of the High Representative. These officers participate in the Human Rights Coordination Centre and have special responsibility for providing substantive human rights expertise to implementing agencies, guiding a range of specific coordination projects and undertaking ad hoc investigations. It is intended, subject to the availability of financial resources, to further enhance the support afforded to the work of the High Representative.

World Bank

30. The World Bank's programme in support of the Government's priority reconstruction and recovery programme has progressed well over the last three months. Seven emergency projects - on emergency recovery; emergency farm reconstruction; water, sanitation and solid waste urgent works; emergency transport reconstruction; war victims rehabilitation; emergency education reconstruction; and emergency district heating - have been approved to date, committing the entire December 1995 pledge of US$ 150 million. Implementation of these projects is currently under way. Where appropriate, projects are designed to foster the integration of the two entities by supporting, for example, repair of existing water, power and transport infrastructure that cuts across the IEBL.

31. Following the admission of Bosnia and Herzegovina to the World Bank Group on 1 April 1996, the Bank was able to make a second pledge of US$ 180 million at the second Donors Conference in Brussels. The International Development Association (IDA) funds will support lending and technical assistance for the Government's reconstruction programme and economic reforms. These funds, in addition to resources from other donors, will be used to finance further projects in the areas of housing repair, electric power, landmine clearance, public works, demobilization support, micro-enterprise/local initiatives, gas rehabilitation, hospital services, transport, forestry and water management. Preparation of these projects is well advanced and some of them, including housing, public works and local initiative pilot projects, are already being implemented. In the design and implementation of the reconstruction programme, the World Bank is working in close cooperation with many United Nations agencies on a variety of projects, including micro-enterprise development, health, agriculture and employment. The United Nations agencies are also acting as members of several of the sectoral donor task forces established by the World Bank and the European Commission to act as a forum for donor exchange and coordination.

VII. OBSERVATIONS

32. The Peace Agreement negotiated at Dayton and signed in Paris has achieved its immediate aim of stopping the conflict and bloodshed in Bosnia and Herzegovina. To this end, the strength and mandate of IFOR have been and remain critical. The implementation of the complex political and civilian aspects of the Peace Agreement in order to achieve its long-term goal - the restoration of stability in Bosnia and Herzegovina and, more widely, in the former Yugoslavia - has, however, faced greater challenges.

33. Among the most difficult tasks in the peace process is to assuage the intense and widespread fear and desire for retribution resulting from a vicious conflict in which civilians were the principal targets and victims. It is in this function that the efforts of ITPF to shape a new concept of policing for the common good can make the most effective contribution. Under its present mandate, the efforts of IPTF can produce results only if the police forces in Bosnia and Herzegovina are receptive to the advice and training offered. If, instead of attempting to provide citizens of minority groups with some sense of

security, police forces continue to discriminate against, harass and intimidate citizens who are not of their own ethnicity, the efforts of IPTF will have little chance of success. The restructuring of the police, undertaken under the guidance of IPTF, provides the opportunity to these police forces to develop a new democratic approach to their duties.

34. The Security Council, in numerous resolutions on the conflict in Bosnia and Herzegovina, has affirmed a commitment to preserve the territorial integrity of that country. The overarching goal of the Peace Agreement is to restore peace, security and stability to Bosnia and Herzegovina as an integrated and internationally recognized State, albeit with considerable decentralization of governmental authority and with a certain degree of autonomy granted to its two constituent entities. The crucial question is whether the signatories to the Agreement remain committed to their undertakings, or whether one or more continue to pursue the aim of separation.

35. It appears that the Republika Srpska remains active in its efforts aimed at separation, as publicly declared by its present leadership and reflected by events on the ground, especially along the Inter-Entity Boundary Line. This intention is made quite clear by the resettling of large numbers of former Serb residents of Sarajevo in the Brčko area, in an attempt to alter the demographic situation on the ground in advance of the arbitration.

36. Within the Federation, the declared objective is unity in a cantonal structure which has yet to be consolidated. However, the actions of the Bosnian Croat leadership in the areas under their control demonstrate that their intention is the opposite, namely, to assert a far-reaching autonomy. The de facto partition of Mostar, which still prevails on the eve of the local elections under the auspices of the European Union, is not an encouraging sign, and the outcome of these elections may well be a signal of future trends. Some elements of the Bosniac leadership also seem similarly inclined to favour separatist trends.

37. Fear and the obstruction of freedom of movement by authorities at various levels, including the police, have deterred refugees and displaced persons from returning to their former homes. Under present conditions, refugees and displaced persons can search for security only in areas where their "ethnicity" is in the majority, thus further cementing ethnic and political separation along the Inter-Entity Boundary Line and also within the Federation. I feel it my duty to draw the attention of the Security Council to the dangers to which these trends give rise.

Annex

UNITED NATIONS INTERNATIONAL POLICE TASK FORCE

CONTRIBUTING COUNTRIES

DEPLOYMENT BY NATIONALITY

Country	Offer	5 March 1996	31 March 1996	30 April 1996	20 June 1996
Argentina	40	0	0	14	40
Austria	17	0	17	17	17
Bangladesh	50	26	26	27	36
Bulgaria	50	0	0	20	20
Canada	5	0	0	0	0
Denmark	38	34	37	35	36
Egypt	25	0	0	0	25
Estonia	10	0	0	9	9
Finland	11	7	11	6	11
France	100	88	96	100	100
Germany	152	2	2	85	85
Ghana	100	0	81	92	90
Greece	10	5	7	7	9
Hungary	35	0	31	31	31
India	100	0	11	78	77
Indonesia	40	19	28	29	28
Ireland	31	29	31	22	31
Jordan	98	49	77	77	98
Malaysia	50	9	43	43	43
Nepal	200	0	25	141	141
Netherlands	50	0	50	50	50
Nigeria	16	0	0	0	0
Pakistan	250	0	49	51	134
Poland	26	24	26	22	26
Portugal	50	16	15	22	41
Russian Federation	40	11	36	36	35
Senegal	60	4	5	43	53

Country	Offer	5 March 1996	31 March 1996	30 April 1996	20 June 1996
Spain	48	22	31	48	47
Sweden	40	22	29	40	39
Switzerland	5	5	5	5	5
Tunisia	12	7	7	7	7
Turkey	46	0	0	26	26
Ukraine	30	2	8	9	16
United States	150	1	34	100	156
TOTAL	1 985	392	828	1 302	1 562

Nova Gradiška
CROATIA
VOJVODINA
Bosanska Gradiška
Cazin
PRIJEDOR
Modriča
Orašje
BIHAĆ
BANJA LUKA
Prnjavor
Brčko
DOBOJ
BIJELJINA
Kator Varoš
Teslić
TUZLA
Zavidovići
Mrkonjić-Grad
Drvar
Jajce
Zvornik
SERBIA
BOSNIA AND HERZEGOVINA
Travnik
Zenica
VAREŠ
Vlasenica
NOVI TRAVNIK
Bugojno
Kiseljak
Ilijaš
Gornji Vakuf
Vogošća
Centar
SARAJEVO
CROATIA
LIVNO
Prozor
Ilidža
PALE
Rogatica
Hadžići
Grbavica
Višegrad
Kula-Trnovo
GORAZDE
Jablanica
Konjic
Split
Kalinovik
Grude
Brac
MOSTAR
Nevesinje
FEDERAL REPUBLIC
OF
YUGOSLAVIA
Hvar
Čapljina
Ljubinje-Stolac
Korcula
Peljesac
MONTENEGRO
TREBINJE
Dubrovnik
Podgorica
ALBANIA
Lake
Scutari
UNIPTF and Civil Affairs Deployment
in Bosnia and Herzegovina
as of June 1996
UNIPTF HQ
Regional HQ
District HQ
Station
Civil Affairs
IFOR divisional boundary
Dayton Agreement line
International boundary
The boundaries and names shown and the designations used on this map do not imply endorsement or acceptance by the United Nations.
0 20 40 km
0 10 20 30 40 mi
Map no. 3946 UNITED NATIONS
June 1996
Department of Public Information
Cartographic Section

UNITED
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Security Council

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21 June 1996

ORIGINAL: ENGLISH

LETTER DATED 21 JUNE 1996 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SLOVAKIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I am referring to your note of 15 May 1996 concerning the implementation of Security Council resolution 1054 (1996), adopted by the Council at its 3660th meeting, held on 26 April 1996.

I have the honour to inform you that the Slovak Republic and the Sudan have no diplomatic missions or consular posts in their respective territories, so the provision of paragraph 3 (a) of resolution 1054 (1996) is not applicable. Furthermore, the Slovak competent authorities have taken all necessary measures to restrict the entry into and transit through the territory of the Slovak Republic of members of the Government of the Sudan, officials of that Government and members of the Sudanese armed forces.

I should be grateful if you would have this note circulated as a document of the Security Council.

(Signed) Peter TOMKA
Ambassador
Chargé d'affaires a.i.
of the Slovak Republic
to the United Nations

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